

**TITLE 326 AIR POLLUTION CONTROL BOARD****Final Rule**

LSA Document #07-840(F)

**DIGEST**

Amends [326 IAC 1-4-7](#), [326 IAC 1-4-30](#), [326 IAC 1-4-31](#), [326 IAC 1-4-33](#), [326 IAC 1-4-42](#), [326 IAC 1-4-49](#), [326 IAC 1-4-50](#), [326 IAC 1-4-56](#), and [326 IAC 1-4-73](#) concerning redesignations to attainment for the 8-hour ozone standard for Boone County, Hamilton County, Hancock County, Hendricks County, Johnson County, Madison County, Marion County, Morgan County, and Shelby County. Effective 30 days after filing with the Publisher.

**HISTORY**

[IC 13-14-9-8](#) Notice: December 19, 2007, Indiana Register (DIN: [20071219-IR-326070840FDA](#)).

Notice of Hearing: December 19, 2007, Indiana Register (DIN: [20071219-IR-326070840PHA](#)).

Change in Notice of Public Hearing: January 16, 2008, Indiana Register (DIN:

[20080116-IR-326070840CHA](#)).

Date of Hearing: March 5, 2008.

[326 IAC 1-4-7](#); [326 IAC 1-4-30](#); [326 IAC 1-4-31](#); [326 IAC 1-4-33](#); [326 IAC 1-4-42](#); [326 IAC 1-4-49](#); [326 IAC 1-4-50](#); [326 IAC 1-4-56](#); [326 IAC 1-4-73](#)

SECTION 1. [326 IAC 1-4-7](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-7](#) Boone County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 7. The following attainment status designations are applicable to Boone County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-7](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 2. [326 IAC 1-4-30](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-30](#) Hamilton County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 30. The following attainment status designations are applicable to Hamilton County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-30](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 3. [326 IAC 1-4-31](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-31](#) Hancock County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 31. The following attainment status designations are applicable to Hancock County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-31](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 4. [326 IAC 1-4-33](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-33](#) Hendricks County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 33. The following attainment status designations are applicable to Hendricks County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.

O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-33](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 5. [326 IAC 1-4-42](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-42 Johnson County](#)**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 42. The following attainment status designations are applicable to Johnson County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-42](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 6. [326 IAC 1-4-49](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-49 Madison County](#)**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 49. The following attainment status designations are applicable to Madison County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>

PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-49](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 7. [326 IAC 1-4-50](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-50](#) Marion County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 50. The following attainment status designations are applicable to Marion County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of Indianapolis bounded by 11 <sup>th</sup> Street on the north; Capitol Avenue on the west; Georgia Street on the south; and Delaware Street on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of Indianapolis and Marion County.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Attainment effective July 10, 2000, for the part of Franklin Township bounded by Thompson Road on the south; Emerson Avenue on the west; Five Points Road on the east; and Troy Avenue on the north. Attainment effective July 10, 2000, for the part of Wayne Township bounded by Rockville Road on the north; Girls School Road on the east; Washington Street on the south; and Bridgeport Road on the west. The remainder of the county is not designated.
<sup>1</sup> Attainment effective October 18, 2000, for the 1-hour ozone standard for the Indianapolis area, including Marion County, and is a maintenance area for the 1-hour ozone National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X*. The 1-hour designation was revoked effective June 15, 2005.	

\*These documents are incorporated by reference. Copies referenced in this section may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(Air Pollution Control Board; [326 IAC 1-4-50](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 8. [326 IAC 1-4-56](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 1-4-56](#) Morgan County**

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 56. The following attainment status designations are applicable to Morgan County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-56](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

SECTION 9. [326 IAC 1-4-73](#) IS AMENDED TO READ AS FOLLOWS:

#### [326 IAC 1-4-73](#) Shelby County

**Authority:** [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-14](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 73. The following attainment status designations are applicable to Shelby County:

Pollutant	Designation
SO <sub>2</sub>	Better than national standards.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	<del>Nonattainment Subpart 4</del> <b>Attainment</b> effective June 15, 2004, <b>October 19, 2007</b> , for the 8-hour ozone standard. <sup>1</sup>
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Cannot be classified or better than national standards.
Pb	Not designated.
<sup>1</sup> Unclassifiable or attainment effective October 18, 2000, for the 1-hour ozone standard, which was revoked effective June 15, 2005.	

(Air Pollution Control Board; [326 IAC 1-4-73](#); filed Dec 26, 2007, 1:43 p.m.: [20080123-IR-326070308FRA](#); filed May 14, 2008, 2:36 p.m.: [20080611-IR-326070840FRA](#))

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Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20071219-IR-326070840FDA](#)

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Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Christina Lowry, IDEM Compliance and Technical Assistance Program, OPPTA - MC60-04, 100 N. Senate Avenue, W-041, Indianapolis, IN 46204-2251, (317) 234-1191, [clowry@idem.in.gov](mailto:clowry@idem.in.gov)

*Small Business Assistance Program Ombudsman: Megan Tretter, IDEM Small Business Assistance Program Ombudsman, MC 50-01 - IGCN 1307, 100 N. Senate Ave., Indianapolis, IN 46204-2251, (317) 234-3386, [mtretter@idem.in.gov](mailto:mtretter@idem.in.gov)*

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